

WESTFIELD TOWN COUNCIL, September 10, 2007

The Westfield Town Council met in regular session Monday, September 10, 2007 at the Westfield Town Hall. Members present were Bob Smith, Bob Horkay, John Dipple, Ron Thomas and Andy Cook. Also present was Cindy Gossard, Clerk-Treasurer, acting Town Manager, Bruce Hauk and Legal Counsel, Brian Zaiger. President Andy Cook called the meeting to order at 7:00 p.m.

President Cook stated the only change to the Agenda was the Policies and Procedures Manual will be continued.

Approval of Minutes:

Ron Thomas made a motion to approve August 13, 2007 as presented. Bob Smith seconded. Vote: Yes-5; No-0. Motion carried.

Guests:

Cindy Spoljaric spoke regarding the Comp Plan and its implementation.

Claims:

Will reschedule special meeting to approve claims as they were not on the link to the web for Council review.

Town Manager Report:

None

Award Presentation for Town Slogan (Old Town Charm, New City Style)-Kenton Smith

President Cook presented Kenton Smith with an award and thanked him for his hard work on our new Town slogan.

Old Business:

Policies & Procedures Manual (Continued)
First Reading – July 9, 2007
Second Reading

Rescheduled until next Council meeting.

Ordinance 07-20 Amendment to Ordinance 05-05 Right of Way Signage
First Reading

Bruce Hauk gave brief explanation of this amendment and stated this came to the Council with a positive recommendation from the Plan Commission.

Ron Thomas made a motion to approve Ordinance 07-20 as approved by the Plan Commission. Bob Horkey seconded. Vote: Yes-5; No-0. Motion carried.

Ordinance 07-15 Amendment to Ordinance 07-09 (US 31 Corridor Protection)
First Reading- August 13, 2007
Second Reading

Andy Cook stated this amendment adds the Indiana 32 Corridor to the same criteria.

John Dipple made a motion to approve Ordinance 07-09 as presented. Bob Smith seconded. Vote: Yes-5; No-0. Motion carried.

Ordinance 07-16 Amendment to Ordinance 06-58 (Salary Ordinance)
First Reading-August 13, 2007
Second Reading

Andy Cook explained the need for these changes were due to some departmental moves.

Ron Thomas made a motion to approve Ordinance 07-16 as presented. John Dipple seconded. Vote: Yes-4; No-0; Abstain-1 (B. Smith). Motion carried.

Carmel/Westfield Sewer Agreement

Bruce Hauk explained this agreement was reached and extends and combines a previous agreement the Town already has with the City of Carmel.

Bob Smith made a motion to approve the Carmel/Westfield Sewer Agreement as presented. John Dipple seconded. Vote: Yes-5; No-0. Motion carried.

2008 Budget Introduction

Introduction –August 13, 2007

First Reading

Public Hearing

Bruce Hauk gave a brief slide presentation of the 2008 Budget and explained the timelines and the numbers and how they were arrived at.

Public Hearing opened 7:40 p.m.

None

Public Hearing closed 7:43 p.m.

Regulatory Changes/Council Introduction:

Council Consideration

None

New Business:

Westfield Washington Library Appointment

President Cook stated Nedra Hoard has consented to serve again on the Library Board and asked if the Council had any other names to submit for this position.

Bob Smith made a motion to appoint Nedra Hoard to serve on the Library Board. Bob Horkey seconded. Vote4: Yes5; No-0. Motion carried.

**Ordinance 07-18 Amendment to Ordinance 07-12 Traffic Regulation
First Reading**

President Cook suggested waiting a couple months to see if these changes would work.

Council members would like to have the speed limit amendment on Springmill Road to change tonight.

Ron Thomas made a motion to suspend the rules to approve Ordinance 07-18. John Dipple seconded. Vote: Yes-5; No-0. Motion carried.

Bob Smith made a motion to approve Ordinance 07-18 as presented regarding the speed limit on Springmill Road. Bob Horkey seconded. Vote: Yes-5; No-0. Motion carried.

**Ordinance 07-19 Vacating of Easement
First Reading**

Kurt Wanninger presented this item stating this Ordinance would allow the Town to vacate a Sanitary Sewer Easement and Telecommunications Easement purchased in May 2007 due to changes in the locations of these easements through the property involved.

Bob Smith made a motion to suspend the rules to approve Ordinance 07-19 on first reading. Ron Thomas seconded. Vote; Yes-5; No-0. Motion carried.

Bob Smith made a motion to approve Ordinance 07-19 as presented. John Dipple seconded. Vote: Yes-5; No-0 Motion carried.

**Resolution 07-15 Excessive Levy
First Reading**

Jim Treat gave a brief presentation on the process of filing an Excess Levy appeal.

Bob Smith made a motion to approve Resolution 07-15 as presented. Bob Horkey seconded. Vote: Yes-4; No-1 (R. Thomas). Motion carried.

**Resolution 07-16 Midland Trace Trail Joint Agreement
First Reading**

President Cook explained the agreement between the Town and Township developing the Midland Trail.

John Dipple spoke regarding the committee and how this committee would be made up and who is responsible.

Melody Sweat stated this was discussed at the last Board meeting and this committee should consist of at least one member from each of our elected boards and perhaps three appointed from each body while keeping this committee small.

Westfield Washington Schools Fee Waivers

- 1. Carey Ridge Expansion (\$25,577)**
- 2. Monon Trail Elementary (\$164,840.50)**

Bruce Hauk explained this item asking the Council to waive these fees.

Ron Thomas stated this money is not put into the tax rolls and the Town loses money.

Bob Smith made a motion to approve the waiver of these fees for the Westfield Schools. Motion withdrawn for lack of a second.

There was some discussion regarding the percentages that by Ordinance can be waived.

Bob Smith again made a motion to approve the waiving of the fees for the Westfield Washington Schools. John Dipple seconded. Vote; Yes-4; No-1 (R. Thomas). Motion carried.

Lord of Life Church Fee Waiver (\$63,161.80)

Kurt Wanninger explained this item stating this is similar to the previous waiver that was brought to the Council.

The petitioner, John Akman spoke regarding their request explaining they would like to break ground this fall and would request from the Council a reduction in fees.

John Dipple made a motion to approve the Lord of Life Church waiver of fees as presented. Bob Smith seconded. Vote: Yes-4; N-1 (R. Thomas). Motion carried.

FSG Report – Greg Guerrataz

Will be back to the Council in October.

Consent Agenda:

Centennial South Agreement

Kurt Wanninger presented this item stating this agreement was approved by the County before the annexation as it was in their jurisdiction. Since the annexation has taken place the Town, Community Development and the WPW has reviewed and investigated these specification requirements.

Bob Smith made a motion to release the Centennial South Agreement as presented. John Dipple seconded. Vote: Yes-5; No-0. Motion carried.

Release of Performance Bonds –

None

Release of Maintenance Bonds

None

Reimbursement Agreement

Maple Knoll Waterline (\$76,960.81)

Kurt Wanninger explained this item stating this agreement consists of new infrastructure to be done by the developer as part of the Towns Water Master Plan.

Ron Thomas made a motion to approve the Maple Knoll Waterline Reimbursement Agreement as presented. Bob Smith seconded. Vote: Yes-5; No-0. Motion carried.

Change Orders

None

Department Reports

Andy Cook gave a brief updated these issues:

1. Westfield held its first Development Breakfast
2. Joe Plankis is in Japan with Governor Daniels and staff
3. Continuing to work on Comp Plan
4. Downtown Master Plan committee is being formed
5. Working with Chamber of Commerce to develop Gateway Signs

President Cook then introduced our new Community Services Director Greg Anderson.

Council Member Comments:

Ron Thomas stated we must remember September 11 and keep the families in our thoughts and prayers.

Adjourn:

Bob Smith made a motion to adjourn. John Dipple seconded. Vote: Yes-5; No-0. Motion carried.

With no further business the meeting adjourned at 8:45 p.m.

Clerk-Treasurer

Council President